

REMARKS

The present Office Action addresses and rejects claims 1-20. Reconsideration is respectfully requested in view of the amendments and remarks submitted herewith.

At the outset, Applicants would like to thank Examiner Piziali for extending the courtesy of a telephone interview to Applicant's undersigned representative on January 28, 2008. During the interview, the Supplemental §1.132 Declaration of Wai Ming Choi was discussed.

Amendments to the Claims

Applicants amend claims 1, 8, 13, 15, and 16 to remove the term "about" from the phrase "at least about." No new matter is added.

Rejection Pursuant to 35 U.S.C. §112

The Examiner rejects claims 1-20 pursuant to 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner asserts that it is not clear what constitutes a gamma value of "at least about" 14 and an apparent density of "at least about" 0.15 g/cc. While Applicants disagree, as noted above, the claims are amended to delete the word "about" from the phrase "at least about," thereby obviating the basis for this rejection.

Rejections Pursuant to 35 U.S.C. §103

The Examiner maintains the pending rejections over Pierce in view of various one or more secondary references, namely Dong or Pall, Head, Perez, and Yamaguchi. The Examiner relies on Pierce to disclose a glass wool fiber; Dong to disclose adding viscosity modifiers to adjust the pH to between 5 and 10 or Pall to similarly disclose varying the pH to a range of 7 to 10; Head to teach the claimed density (although Head teaches fiber density, not apparent density as claimed); Perez to teach the claimed surface area; and Yamaguchi to teach the claimed fiber diameter.

Applicants continue to disagree with the Examiner's rejections. Independent claims 1, 8, and 13 each require a filter media having at least one *glass wool fiber web* and having a gamma value of at least 14. Pierce discloses a glass wool fiber web, namely a *low boron* glass wool fiber. As

evidenced by the attached new §1.132 Declaration of Wai Ming Choi, Pierce does not inherently teach a filter media having the claimed gamma value, taken alone or combined with Dong or Pall to add a basic adjusting agent as suggested by the Examiner. Accordingly, the attached Declaration is sufficient to overcome the Examiner's rejection.

Previously-Filed §1.132 Declaration of Wai Ming Choi

In the pending Office Action, the Examiner further submits that the previously-filed §1.132 Declaration of Wai Ming Choi cannot be relied on because none of the samples from Table C are comparable to the samples of Table D because "[s]amples C1 and C2 have a mold pH with a fiber slurry of 6.6, while all of the samples in Table D have a mold pH with a fiber slurry of at least 7. That eliminates samples C1 and C2 from comparison." (Office Action, p. 17). The Examiner continues to point out similar differences with the remaining samples in Tables C and D.

As explained in a telephone conversation with the Examiner on January 28, 2008, Samples C and D can in fact be compared. Sample C and D were prepared using the same fibers and the same process, however Sample C was prepared by adding only a basic adjusted agent and Sample D was prepared by adding both an acid adjusting agent and then a basic adjusting agent. For each sample, several different pH measurements were taken. The only pH measurement that should be the same is the "Blender pH," which is the pH of the Waring blender containing water and sulfuric acid (necessary for fiber dispersion), prior to adding the fibers. The remaining pH measurements in Samples C and D are taken *after* a pH adjusting agent is added, and thus the pH measurements necessarily will not be the same.

As shown in Sample C, the pH of the handsheet mold was measured after the pH was adjusted with a basic adjusting agent. This pH is listed in Table C as the "Base Adjusted Mold pH with Water." For Sample D, an acid was added to the handsheet mold prior to adding a base, and thus the pH of the handsheet mold, as adjusted by the acid adjusting agent only, was measured and is set forth in Table D as the "Acid Adjusted Mold pH with Water." The pH was then adjusted again by adding a base, and the pH was measured and is set forth in Sample D as the "Acid/Base Adjusted Mold pH with Water." These pH measurements clearly cannot and should not be compared, as they are suppose to be different since Sample C is adjusted with a base only and Sample D is adjusted by adding an acid first and then a base.

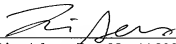
A final pH of the fiber slurry in the handsheet mold was measured for both Samples C and D, and the pH is set forth in Tables C and D as the "Mold pH with Fiber Slurry." The "Mold pH with Fiber Slurry" for Samples C1 and C2 are 6.6 and the "Mold pH with Fiber Slurry" for Samples D1 and D2 are 7.9 and 7.4, as indicated by the Examiner. These pH values, however, need not be the same in order to compare Samples C and D. As indicated above, the final pH for Sample C is obtained by adjusting the pH using a base only, while the final pH for Sample D is obtained by adjusting the pH using an acid and then a base. Applicants do not assert that the slurry must have any particular final pH, and the final pH for each sample does not need to be the same in order to compare the samples. The samples merely need to show an improved gamma value, surface area, and apparent density when a fiber slurry is adjusted by adding an acid and then a base, as compared to just adding a base alone. This is clearly illustrated in Sample D, which shows improved results as compared to Sample C.

Conclusion

In conclusion, Applicant submits that all claims are now in condition for allowance, and allowance thereof is respectfully requested. The Examiner is encouraged to telephone the undersigned attorney for Applicant if such communication is deemed to expedite prosecution of this application.

Respectfully submitted,

Date: March 14, 2008



Lisa Adams, Reg. No. 44,238
Attorney for Applicant(s)

Nutter McClennen & Fish LLP
World Trade Center West
155 Seaport Boulevard
Boston, MA 02210
Tel: (617)439-2550
Fax: (617)310-9550